

Beginning February 1, 2017, under Local Rule 13.05, it is the procedure of this Court to order the U.S. Attorney's Office to file a sealed statement in all criminal cases in which a defendant enters a guilty plea that will either explain the terms of a defendant's cooperation or state that a defendant did not cooperate with the government. The public will not be able to determine whether a defendant did or did not cooperate with the government by reading these docket entries.

**U.S. District Court
Eastern District of Missouri (St. Louis)
CRIMINAL DOCKET FOR CASE #: 4:12-cr-00015-ERW-1**

Case title: USA v. Lamier

Date Filed: 01/18/2012

Date Terminated: 11/01/2012

Assigned to: District Judge E.
Richard Webber

Defendant (1)

Jason Lamier

TERMINATED: 11/01/2012

represented by **Mark A. Hammer**

THE HAMMER LAW FIRM

100 Chesterfield Business Pkwy.

Suite 200

Chesterfield, MO 63005

314-651-9311

Fax: 636-778-9860

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LEAD ATTORNEY

ATTORNEY TO BE NOTICED

Designation: Retained

Bar Status: Active

Felicia A. Jones

FEDERAL PUBLIC DEFENDER – St Louis

1010 Market Street

Suite 200

St. Louis, MO 63101

314-241-1255

Fax: 314-421-3177

Email: Felicia_jones@fd.org

TERMINATED: 07/03/2012

*Designation: Public Defender or Community
Defender Appointment*

Bar Status: Gov

Janis C. Good

FEDERAL PUBLIC DEFENDER – St Louis

1010 Market Street

Suite 200
St. Louis, MO 63101
314-241-1255
Fax: 314-421-3177
Email: moe_ecf@fd.org
TERMINATED: 01/27/2012
ATTORNEY TO BE NOTICED
Designation: Public Defender or Community
Defender Appointment
Bar Status: Deceased

St. Louis Fed Public Defender
FEDERAL PUBLIC DEFENDER – St Louis
1010 Market Street
Suite 200
St. Louis, MO 63101
314-241-1255
Fax: 314-421-3177
Email: moe_ecfnote@fd.org
TERMINATED: 01/24/2012
Designation: Public Defender or Community
Defender Appointment
Bar Status: Gov

Pending Counts

POSSESSION OF CHILD
PORNOGRAPHY
(1r)

RECEIPT OF CHILD
PORNOGRAPHY
(2r)

TRANSPORTATION OF CHILD
PORNOGRAPHY
(3r)

Disposition

The defendant is committed to the custody of the US Bureau of Prisons to be imprisoned for a total term of 121. This term consists of a term of 120 months on count one, and 121 months on each of counts two and three, all such terms to be served concurrently. Upon release from imprisonment, the defendant shall be on supervised release for a term of life. The defendant shall pay a special assessment in the amount of \$300.00.

The defendant is committed to the custody of the US Bureau of Prisons to be imprisoned for a total term of 121. This term consists of a term of 120 months on count one, and 121 months on each of counts two and three, all such terms to be served concurrently. Upon release from imprisonment, the defendant shall be on supervised release for a term of life. The defendant shall pay a special assessment in the amount of \$300.00.

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defendant shall pay a special assessment in the amount of \$300.00.

Highest Offense Level (Opening)

Felony

Terminated Counts

None

Disposition

**Highest Offense Level
(Terminated)**

None

Complaints

None

Disposition

Plaintiff

USA

represented by **Robert F. Livergood**
 UNITED STATES ATTORNEYS
 OFFICE – St. Louis
 111 S. Tenth Street
 20th Floor
 St. Louis, MO 63102
 314-539-2365
 Fax: 314-539-2287
 Email: rob.livergood@usdoj.gov
ATTORNEY TO BE NOTICED
Designation:
Bar Status: Gov

Email All Attorneys
 (will not send to terminated parties)

Email All Attorneys and Additional Recipients
 (will not send to terminated parties)

Date Filed	#	Page	Docket Text
01/18/2012	<u>1</u>		INDICTMENT returned in open court on 1/18/2012 to Judge E. Richard Webber by the Foreperson of the Grand Jury. Referred to Magistrate Judge Noce as to Jason Lamier (1) count(s) 1, 2, 3. (Attachments: # <u>1</u> Criminal Cover Sheet) (KLK) (Entered: 01/18/2012)
01/18/2012	<u>2</u>		REDACTED INDICTMENT returned in open court on 1/18/2012 to Judge E. Richard Webber by the Foreperson of the Grand Jury. Referred to Magistrate Judge Noce as to Jason Lamier (1): Former count 1 is now count 1r. Former count 2 is now count 2r. Former count 3 is now count 3r. (KLK) (Entered: 01/18/2012)

		01/18/2012)
01/18/2012		Warrant Issued as to Indictment in case as to Jason Lamier. (KLK) (Entered: 01/18/2012)
01/18/2012		Pursuant to Local Rule 2.08, the assigned/referred magistrate judge is designated and authorized by the court to exercise full authority in this assigned/referred action or matter under 28 U.S.C. Sec. 636 and 18 U.S.C Sec. 3401. (CSAW) (Entered: 01/18/2012)
01/19/2012	<u>3</u>	ENTRY OF ATTORNEY APPEARANCE Robert F. Livergood appearing for USA. (Livergood, Robert) (Entered: 01/19/2012)
01/19/2012		Arrest of defendant Jason Lamier date of arrest: 1/19/12 (KXS) (Entered: 01/19/2012)
01/19/2012	<u>4</u>	Minute Entry for proceedings held before Magistrate Judge Nannette A. Baker:Initial Appearance/Rule 5 as to Jason Lamier held on 1/19/2012; Jason Lamier (1) \$20,000 unsecured appearance bond set. Defendant given copy of: indictment. Court to appoint: FPD. Pretrial Services Officer: Shannon McAllister. (Arraignment set for 1/24/2012 09:00 AM in Courtroom 17N before Magistrate Judge David D. Noce.), Bond Execution as to Jason Lamier held on 1/19/2012; bond executed in the amount of: \$20,000 unsecured (FTR Gold Operator initials:C. Kornberger.) (FTR Gold: Yes.) (proceedings started: 3:27 p.m..) (proceedings ended: 3:45 p.m..) (Defendant Location: custody.) (KXS) (Entered: 01/19/2012)
01/19/2012	<u>5</u>	Unsecured Appearance Bond Entered as to defendant Jason Lamier in amount of \$ 20,000.00. Signed by Magistrate Judge Nannette A. Baker on 1/19/12. (KXS) (Entered: 01/19/2012)
01/19/2012	<u>6</u>	ORDER Setting Conditions of Release as to Jason Lamier (1) \$20,000 unsecured appearance bond. Signed by Magistrate Judge Nannette A. Baker on 1/19/12. (KXS) (Entered: 01/19/2012)
01/19/2012	<u>7</u>	CJA 23 Financial Affidavit by Jason Lamier (KXS) (Entered: 01/19/2012)
01/20/2012	<u>8</u>	BAIL REPORT(FILED UNDER SEAL) as to Jason Lamier. (SMM) (Entered: 01/20/2012)
01/20/2012	<u>9</u>	Warrant Returned Executed as to Indictment in case as to Jason Lamier (KKS) (Entered: 01/20/2012)
01/24/2012	<u>10</u>	ORDER APPOINTING FEDERAL PUBLIC DEFENDER as to Jason Lamier St. Louis Fed Public Defender for Jason Lamier appointed.. Signed by Magistrate Judge Nannette A. Baker on 1/19/12. (CEL) (Entered: 01/24/2012)
01/24/2012	<u>11</u>	Minute Entry for proceedings held before Magistrate Judge David D. Noce:Arraignment: Parties present for arraignment. Defendant waives reading of indictment, plea of not guilty as to Jason Lamier (1) Count 1r,2r,3r held on 1/24/2012. Attorney Janis C. Good for Jason Lamier added. Attorney St. Louis Fed Public Defender terminated. Criminal Pretrial Motion due by 2/14/2012. Evidentiary Hearing set for 2/23/2012 09:00 AM in Courtroom 17N before Magistrate Judge David D. Noce. Jury Trial set for 4/2/2012 08:30 AM before Honorable E. Richard Webber. (FTR Gold Operator initials:Katie Stamm.) (FTR Gold: Yes.) (proceedings started: 9:05.) (proceedings ended: 9:09.)

		(Defendant Location: Bond.) (KKS) (Entered: 01/24/2012)
01/24/2012	<u>12</u>	MOTION for Extension For Additional Time To Obtain and Review Discovery Materials and To Determine Whether and/or What Pretrial Motions are to be Filed by Jason Lamier. (KKS) (Entered: 01/24/2012)
01/24/2012	13	Oral Motion to Suppress by Jason Lamier. (KKS) (Entered: 01/24/2012)
01/24/2012	14	Oral Motion by Government for Determination by Court of Admissibility of Arguably Suppressible Evidence by USA as to Jason Lamier. (KKS) (Entered: 01/24/2012)
01/24/2012	<u>15</u>	MOTION for Pretrial Determination of the Admissibility of defendant's statements by USA as to Jason Lamier. (Livergood, Robert) (Entered: 01/24/2012)
01/24/2012	<u>16</u>	ORDER CONCERNING PRETRIAL MOTIONS as to Jason Lamier. Forthwith each party may propound to opposing party and may file w/the court any request for pretrial disclosure of evidence or information not later than 1/27/12. <u>12</u> . The parties shall respond to any such request for pretrial disclosure not later than 2/1/12. Counsel for defendant to file with the court a memorandum if defendant chooses not to file any pretrial motions not later than 2/14/12. pt mtns ddl 2/14/12; evidentiary hearing set 2/23 @ 9am; Jury trial set 4/2 @ 8:30. Signed by Magistrate Judge David D. Noce on 1/24/12. (KKS) (Entered: 01/24/2012)
01/26/2012	<u>17</u>	Substitution of Attorney as to Jason Lamier Terminating Janis Good Replaced by substituted attorney Felicia Jones (Jones, Felicia) (Entered: 01/26/2012)
01/27/2012		Attorney update in case as to Jason Lamier. Attorney Felicia A. Jones for Jason Lamier added. Attorney Janis C. Good terminated. (KMS) (Entered: 01/27/2012)
02/14/2012	<u>18</u>	MOTION for Extension of Time To File Pretrial Motions by Jason Lamier. (Jones, Felicia) (Entered: 02/14/2012)
02/17/2012	<u>19</u>	ORDER EXTENDING TIME TO FILE PRETRIAL MOTIONS as to Jason Lamier (1) IT IS HEREBY ORDERED that the motion of defendant Jason Lamier for additional time to obtain and review discovery materials and to determine whether pretrial motions are to be filed (doc. 18) is sustained. IT IS FURTHER ORDERED that defendant shall have until Friday, February 24, 2012, to file pretrial motions or the waiver thereof. For the reasons set forth in the scheduling order issued by the court on January 24, 2012 (Doc. 16), IT IS FURTHER ORDERED that the time from the date of arraignment of defendant to the date pretrial motions or the waiver thereof are to be filed is excluded from computation of the latest date for the trial setting as prescribed by the Speedy Trial Act. See 18 U.S.C. § 3161(h)(7)(A) and (B)(iv). IT IS FURTHER ORDERED that the pretrial evidentiary hearing is reset to March 8, 2012 at 9:00 a.m. <u>18</u> Signed by Magistrate Judge David D. Noce on 2/17/12. (KXS) (Entered: 02/17/2012)
02/24/2012	<u>20</u>	MOTION for Extension of Time to file Pretrial Motions by Jason Lamier. (Jones, Felicia) (Entered: 02/24/2012)
02/28/2012	<u>21</u>	ORDER as to Jason Lamier (1) IT IS HEREBY ORDERED that the second motion of defendant Jason Lamier for additional time to obtain and review

		discovery materials and to determine whether pretrial motions are to be filed (doc. 20) is sustained. IT IS FURTHER ORDERED that defendant shall have until Friday, March 9, 2012, to file pretrial motions or the waiver thereof. For the reasons set forth in the scheduling order issued by the court on January 24, 2012 (Doc. 16), IT IS FURTHER ORDERED that the time from the date of arraignment of defendant to the date pretrial motions or the waiver thereof are to be filed is excluded from computation of the latest date for the trial setting as prescribed by the Speedy Trial Act. See 18 U.S.C. § 3161(h)(7)(A) and (B)(iv). IT IS FURTHER ORDERED that the pretrial evidentiary hearing is reset to March 22, 2012 at 9:00 a.m. <u>20</u> Signed by Magistrate Judge David D. Noce on 2/28/12. (KXS) (Entered: 02/28/2012)
02/28/2012	<u>22</u>	ENTRY OF ATTORNEY APPEARANCE: by Mark A. Hammer on behalf of Jason Lamier (Hammer, Mark) (Entered: 02/28/2012)
02/28/2012	<u>23</u>	MOTION to Continue ; Time to File Pretrial Motions and Evidentiary Hearing by Jason Lamier. (Hammer, Mark) (Entered: 02/28/2012)
03/01/2012	<u>24</u>	ORDER as to Jason Lamier (1) IT IS HEREBY ORDERED that the third motion of defendant Jason Lamier for additional time to obtain and review discovery materials and to determine whether pretrial motions are to be filed (doc. 23) is sustained. IT IS FURTHER ORDERED that defendant shall have until Friday, March 16, 2012, to file pretrial motions or the waiver thereof. For the reasons set forth in the scheduling order issued by the court on January 24, 2012 (Doc. 16), IT IS FURTHER ORDERED that the time from the date of arraignment of defendant to the date pretrial motions or the waiver thereof are to be filed is excluded from computation of the latest date for the trial setting as prescribed by the Speedy Trial Act. See 18 U.S.C. § 3161(h)(7)(A) and (B)(iv). IT IS FURTHER ORDERED that the pretrial evidentiary hearing is reset to March 29, 2012 at 9:00 a.m. <u>23</u> Signed by Magistrate Judge David D. Noce on 3/1/12. (KXS) (Entered: 03/01/2012)
03/13/2012	<u>26</u>	First MOTION to Continue ; Trial Date by Jason Lamier. (Attachments: # <u>1</u> Affidavit Speedy Trial Waiver)(Hammer, Mark) (Entered: 03/13/2012)
03/14/2012	<u>27</u>	ORDER RELATING TO TRIAL TO CONTINUE (per 18:3161)– Ends of Justice as to Jason Lamier – IT IS HEREBY ORDERED that within the guidelines set forth by the Speedy Trial Act, 18 U.S.C. 3161, the Motion to Continuance Trial Setting [ECF No. <u>26</u>] is GRANTED. The Jury Trial as to Defendant Jason Lamier is reset to May 29, 2012, at 8:30 a.m. Signed by Honorable E. Richard Webber on 3/14/12. (KJS) (Entered: 03/14/2012)
03/16/2012	<u>28</u>	WAIVER of Filing Pretrial Motions by Jason Lamier (Hammer, Mark) (Entered: 03/16/2012)
03/22/2012	<u>29</u>	ORDER as to Jason Lamier IT IS HEREBY ORDERED that the pretrial evidentiary hearing is reset to March 29, 2012 at 2:00 p.m. Signed by Magistrate Judge David D. Noce on 3/22/12. (KXS) (Entered: 03/22/2012)
03/29/2012	<u>30</u>	Minute Entry for proceedings held before Magistrate Judge David D. Noce:In Court Hearing (Waiver of Motions) as to Jason Lamier held on 3/29/2012; deft waives evidentiary hearing; Jury Trial set for 5/29/2012 08:30 AM in Courtroom 17S before Honorable E. Richard Webber. (FTR Gold Operator initials:K. Spurgeon.) (FTR Gold: Yes.) (proceedings started: 2:00 p.m..) (proceedings ended: 2:02 p.m..) (Defendant Location: bond.) (KXS) (Entered: 03/29/2012)

		03/29/2012)
03/29/2012	<u>31</u>	NOTICE OF PRETRIAL MOTION WAIVER as to Jason Lamier (1) The following motions are withdrawn: Docs. 13–15. IT IS HEREBY ORDERED that this case is set for a trial before a jury on May 29, 2012 at 8:30 a.m. 13 14 <u>15</u> Signed by Magistrate Judge David D. Noce on 3/29/12. (KXS) (Entered: 03/29/2012)
05/16/2012	<u>32</u>	MOTION to Continue ; Trial Date by Jason Lamier. (Hammer, Mark) (Entered: 05/16/2012)
05/16/2012	<u>33</u>	ORDER TO CONTINUE (per 18:3161)– Ends of Justice as to Jason Lamier – IT IS HEREBY ORDERED that within the guidelines set forth by the Speedy Trial Act, 18 U.S.C. 3161, Motion to Continuance Trial Setting [ECF No. 32] is GRANTED. The Jury Trial as to Defendant Jason Lamier is reset to June 27, 2012, at 8:30 a.m. IT IS FURTHER ORDERED that no later than May 23, 2012, Defendant shall file with this Court a signed Waiver of Speedy Trial agreeing to the continuance of the trial date. Response to Court due by 5/23/2012. Jury Trial set for 6/27/2012 08:30 AM before Honorable E. Richard Webber. Signed by Honorable E. Richard Webber on May 16, 2012. (MCB) (Entered: 05/16/2012)
05/27/2012	<u>34</u>	WAIVER of Speedy Trial by Jason Lamier (Hammer, Mark) (Entered: 05/27/2012)
06/06/2012	35	Docket Text ORDER: Change of Plea Hearing as to Defendant Jason Lamier will be held on June 25, 2012, at 2:00 p.m. So Ordered by Judge E. Richard Webber. (BABS) (Entered: 06/06/2012)
06/19/2012	<u>36</u>	MOTION to Continue ; Change of Plea Hearing by Jason Lamier. (Hammer, Mark) (Entered: 06/19/2012)
06/20/2012	37	Docket Text ORDER: Motion to Continue <u>36</u> is GRANTED. Within the guidelines set forth by the Speedy Trial Act, the Court finds the ends of justice will best be served by continuing the Change of Plea Hearing as to Defendant Jason Lamier to July 30, 2012, at 3:00 p.m. So Ordered by Judge E. Richard Webber. (BABS) (Entered: 06/20/2012)
06/29/2012	<u>38</u>	MOTION to Withdraw as Attorney by Felicia A. Jones and the Office of the Federal Public Defender. by Jason Lamier. (Jones, Felicia) (Entered: 06/29/2012)
07/03/2012	39	Docket Text ORDER: Motion to Withdraw as Attorney <u>38</u> is GRANTED. Previously appointed counsel Felicia A. Jones from Office of the Federal Public Defender shall be termed as counsel of record for Defendant Jason Lamier in this matter. So Ordered by Judge E. Richard Webber (BABS) (Entered: 07/03/2012)
07/24/2012	40	Docket Text ORDER: Due to an ongoing trial before this Court, Change of Plea Hearing of Defendant Jason Lamier will be held before Judge John A. Ross on July 30, 2012, at 3:00 p.m. So Ordered by Judge E. Richard Webber. (BABS) (Entered: 07/24/2012)
07/30/2012	<u>42</u>	Minute Entry for proceedings held before District Judge John A. Ross:Change of Plea Hearing as to Jason Lamier held on 7/30/2012. By leave of Court, defendant withdraws former plea of not guilty and enters a plea of Guilty to

		Count One, Two and Three of the indictment. Plea agreement filed. The Court adopts and approves the plea agreement. Probation Officer present in the courtroom. Objections to Presentence Report due by 10/4/2012. Sentencing set for 10/25/2012 10:00 AM before District Judge E. Richard Webber. (Court Reporter:S. Moran.) (FTR Gold: No.) (proceedings started: 3:20.) (proceedings ended: 4:45.) (Defendant Location: bond.) (MCB) (Entered: 07/31/2012)
07/30/2012	<u>43</u>	GUILTY PLEA AGREEMENT by USA, Jason Lamier as to Jason Lamier. (MCB) (Entered: 07/31/2012)
10/02/2012	45	Docket Text ORDER: Sentencing Hearing of Defendant Jason Lamier will be held on October 25, 2012, at 3:00 p.m., not 10:00 a.m. as previously scheduled. So Ordered by Judge E. Richard Webber. (BABS) (Entered: 10/02/2012)
10/04/2012	<u>46</u>	ACCEPTANCE TO PRESENTENCE INVESTIGATION REPORT by USA as to Jason Lamier (Livergood, Robert) (Entered: 10/04/2012)
10/18/2012	<u>47</u>	FINAL PRESENTENCE INVESTIGATION REPORT (including addendum) as to Jason Lamier (Attachments: # <u>1</u> Letter)(GZT) (Entered: 10/18/2012)
10/22/2012	49	Docket Text ORDER: Sentencing Hearing as to Defendant Jason Lamier will be held on November 1, 2012, at 9:30 a.m. in Courtroom 10 South. So Ordered by Judge E. Richard Webber. (BABS) (Entered: 10/22/2012)
11/01/2012	<u>51</u>	Minute Entry for proceedings held before District Judge E. Richard Webber:Sentencing as to Jason Lamier held on 11/1/2012. No Objections to Presentence report filed by either party. Presentence Report adopted/accepted by Court as findings of fact. The Court hears arguments from Counsel and a statement from the defendant. Sentence imposed (see judgment). The defendant is remanded to custody with special conditions in which the defendant may be released until his surrender date. (Court Reporter:S. White.) (FTR Gold: No.) (proceedings started: 9:40.) (proceedings ended: 10:25.) (Defendant Location: Custody.) (BRP) (Entered: 11/01/2012)
11/01/2012	<u>52</u>	NOTICE of Certification of Compliance with Local Rule 12.07 by Jason Lamier (BRP) (Entered: 11/01/2012)
11/01/2012	<u>53</u>	JUDGMENT as to Jason Lamier (1), Count(s) 1r, 2r, 3r, The defendant is committed to the custody of the US Bureau of Prisons to be imprisoned for a total term of 121. This term consists of a term of 120 months on count one, and 121 months on each of counts two and three, all such terms to be served concurrently. Upon release from imprisonment, the defendant shall be on supervised release for a term of life. The defendant shall pay a special assessment in the amount of \$300.00. Signed by District Judge E. Richard Webber on November 2, 2012. (BRP) (Entered: 11/05/2012)
11/01/2012	<u>54</u>	STATEMENT OF REASONS for Sentence as to defendant Jason Lamier . Signed by District Judge E. Richard Webber on November 2, 2012. (BRP) (Entered: 11/05/2012)
11/09/2012	<u>55</u>	ORDER OF DEFENDANT'S RELEASE AND SELF SURRENDER as to Jason Lamier. IT IS HEREBY ORDERED that Defendant Jason Lamier shall be released from the custody of the United States Marshals Service on November 13, 2012, no later than 1:00 p.m. Release will take place at the United States District Court in St. Louis, Missouri. Defendant Lamier's previous

			bond conditions in this matter are reinstated with the addition of Defendant Lamier being allowed residence in the District of Massachusetts. IT IS FURTHER ORDERED that Defendant Lamier is permitted to reside at his mother's residence in the District of Massachusetts, until such time as he is ordered to self surrender as will be designated by the Bureau of Prisons. Signed by District Judge E. Richard Webber on 11/09/2012. (certified copy to USM) (CBL) (Entered: 11/09/2012)
03/19/2013	<u>56</u>		Marshal's Return on Judgment as to Jason Lamier on March 13, 2013. Defendant surrendered to: FMC Devens, Ayers, Massachusetts. (CBL) (Entered: 03/19/2013)
04/30/2013			Receipt CT 4644035384 in the amount of \$300.00 for SPECIAL PENALTY ASSESSMENT on behalf of Lamier, Jason (CCAM) (Entered: 05/02/2013)
02/16/2022	<u>58</u>		Supervised Release Jurisdiction Transferred to District of Massachusetts as to Jason Lamier (KJS) (Entered: 02/16/2022)

FILED

JAN 18 2012

U. S. DISTRICT COURT
EASTERN DISTRICT OF MO

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

UNITED STATES OF AMERICA,)
)
Plaintiff,)
)
V.)
)
JASON LAMIER,)
)
Defendant.)

No.

4 : 12CR00015ERW

INDICTMENT

COUNT I

The Grand Jury charges that:

At all times pertinent to the charges in this indictment:

1. Federal law defined the term:

(a) "minor" to mean any person under the age of eighteen years (18 U.S.C. § 2256(a));

(b) "sexually explicit conduct" to mean actual or simulated

(I) sexual intercourse, including genital-genital, oral-genital, anal-genital, or oral-

anal, whether between persons of the same or opposite sex,

(ii) bestiality,

(iii) masturbation,

(iv) sadistic or masochistic abuse, or

(v) lascivious exhibition of the genitals or pubic area of any person (18 U.S.C.

§2256(2)(A)); and

(c) "computer" to mean an electronic, magnetic, optical, electrochemical or other high speed data processing device performing logical, arithmetic or storage functions, including any data storage facility or communications facility directly related to or operating in conjunction with such device. (18 U.S.C. §2256(6)).

(d) "child pornography" to mean any visual depiction, including any photograph, film, video, picture, or computer or computer-generated image or picture, whether made or produced by electronic, mechanical, or other means, of sexually explicit conduct, where--

(A) the production of such visual depiction involves the use of a minor engaging in sexually explicit conduct; or

(C) such visual depiction has been created, adapted, or modified to appear that an identifiable minor is engaging in sexually explicit conduct.

2. The "Internet" was, and is, a computer communications network using interstate and foreign lines to transmit data streams, including data streams used to store, transfer and receive graphic files.

3. Between on or about November 18, 2009, and on or about February 18, 2010, in the Eastern District of Missouri, and elsewhere,

JASON LAMIER,

the Defendant herein, did knowingly possess material that contained an image of child pornography that was produced using materials that traveled in interstate and foreign commerce, to wit, a Maxtor hard drive, bearing serial number 662205353913, said hard drive having been produced outside the State of Missouri and therefore having traveled in interstate and foreign

commerce, and the hard drive contained child pornography, including, but not limited to, the following:

1. “32.jpg” - a graphic image file depicting a male inserting his penis into minor female’s mouth;
2. “!New!(Pthc)Niece Series2 (5y Full Penetration) (62m20s).mpg” - a video file depicting a male placing his mouth on a minor female’s vagina and inserting his penis into her vagina;

In violation of Title 18, United States Code, Section 2252A(a)(5)(B).

COUNT II

The Grand Jury further charges that:

1. The allegations contained in paragraphs one and two of Count I of this Indictment are incorporated by reference as if fully set forth herein.
2. Between on or about November 18, 2009, and on or about February 18, 2010, within the Eastern District of Missouri, and elsewhere,

JASON LAMIER,

the defendant herein, knowingly received images of child pornography using any means or facility of interstate and foreign commerce, that is, the defendant received graphic image files via the Internet which contained child pornography, including, but not limited to, the following:

1. “1199.jpg” - a graphic image file depicting a male with inserting his penis into a minor female’s mouth;
2. “104-0478_IMG.JPG” - a graphic image file depicting an individual inserting a finger into the vagina of a minor female;

3. "Mellony_08.jpg" - a graphic image file depicting a bound, minor female in a lascivious display of her genitals; and
4. "6yo blond boy David and a hairy man.avi" - a video file depicting a minor masturbating, in a lascivious display of his genitals, performing oral sex on a male, and engaged in anal intercourse with a male;

In violation of Title 18, United States Code, Section 2252A(a)(2).

COUNT III

The Grand Jury further charges that:

1. The allegations contained in paragraphs one and two of Count I of this Indictment are incorporated by reference as if fully set forth herein.

2. Between on or about November 18, 2009, and on or about February 18, 2010, within the Eastern District of Missouri, and elsewhere,

JASON LAMIER,

the defendant herein, knowingly transported using any means or facility of interstate and foreign commerce, that is the defendant transported graphic image files via the Internet which contained child pornography, including, but not limited to, the following:

1. "albina060.jpg" - a graphic image file depicting a minor female in a lascivious display of her genitals; and
2. "IMG_8658.jpg" - a video file depicting a minor female in a lascivious display of her genitals;

In violation of Title 18, United States Code, Section 2252A(a)(1).

A TRUE BILL.

Luise Gillman
FOREPERSON

RICHARD G. CALLAHAN
United States Attorney

ROBERT F. LIVERGOOD, #35432MO
Assistant United States Attorney

USDC-EDMO

CRIMINAL CASE COVER SHEET

Division of Filing: Eastern **County of Offense:** Phelps County **Matter to be Sealed:** No **Type of Charge:** Felony
Defendant Information:
 Defendant's Name: Jason Lamier
 Alias Name: _____
 Birthdate: November 9, 1976 Not Available _____
 Social Security No.: 019-56-5795 Not Available _____

FILED
JAN 18 2012U. S. DISTRICT COURT
EASTERN DISTRICT OF MO

4:12CR00015ERW

Related Case Information:

Superseding Indictment/Information? ☐ Yes ☒ No *If yes, original case number:* _____
 Is this a New Defendant in the Superseding Indictment/Information? ☐ Yes ☐ No
 Prior Complaint? ☐ Yes ☒ No *If yes, Complaint No.* _____
 Complaint: ☐ Pending ☐ Dismissed
 Def. has had an appearance before a Magistrate? ☐ Yes ☐ No *If yes, Magistrate name:* _____

Victim-Witness Act applies: Yes

Name of AUSA: Robert F. Livergood
 Agency/Agent: ICE/John Tayler
 Recommended Bond/Detention: \$20,000 secured bond

Interpreter Needed:

☐ Yes Language and/or dialect _____
☒ No
☐ Not known at this time

Location Status:

Arrest Date _____
☐ Currently in Federal Custody
☐ Currently in State Custody Writ required ☐ Yes ☐ No
☐ Currently on bond set by Court
☒ Defendant not in custody

U.S.C. Citations and Total # of Counts against this Defendant: 3

Index Key/Code/Offense Level/AOcd/Sev	Description of Offense Charged	Count(s)	Penalty Information
18:2252A(a)(5)(B)	Possession of Child Pornography	1	I nmt 10 yrs. F nmt \$250,000 <u>or both</u> Sup. Rel. nmt life., nlt 5 years \$100 Special Assessment/count
18:2252A(a)(2)	Receipt of Child Pornography	1	I nmt 20 yrs., I nlt 5 yrs. F nmt \$250,000 <u>or both</u> Sup. Rel. nmt life, nlt 5 yrs. \$100 Special Assessment/count
18:2252A(a)(1)	Transportation of Child Pornography	1	I nmt 20 yrs., I nlt 5 yrs. F nmt \$250,000 <u>or both</u> Sup. Rel. nmt life, nlt 5 yrs. \$100 Special Assessment/count

Return Date January 19, 2012

Signature of AUSA

Robert F. Livergood

Case: **4:12-cr-00015**

Assigned To : **Webber, E. Richard**

Referral Judge: **Noce, David D.**

Assign. Date : **1/18/2012**

Description: **Jason Lamier**

United States District Court

Eastern District of Missouri

UNITED STATES OF AMERICA

v.

JUDGMENT IN A CRIMINAL CASE

Jason Lamier

CASE NUMBER: 4:12CR00015 ERW

USM Number: 39210-044

THE DEFENDANT:

Mark A. Hammer

Defendant's Attorney

☒ pleaded guilty to count(s) one, two, and three of the Indictment on July 30, 2012.

☐ pleaded nolo contendere to count(s) _____
which was accepted by the court.

☐ was found guilty on count(s) _____
after a plea of not guilty

The defendant is adjudicated guilty of these offenses:

<u>Title & Section</u>	<u>Nature of Offense</u>	<u>Date Offense Concluded</u>	<u>Count Number(s)</u>
18 U.S.C. § 2252A(a)(5)(B) and 18 U.S.C. § 2252A(b)(2)	Possession of Child Pornography	February 18, 2010	One
18 U.S.C. § 2252A(a)(2) and 18 U.S.C. § 2252A(b)(1)	Receipt of Child Pornography	February 18, 2010	Two
18 U.S.C. § 2252A(a)(1) and 18 U.S.C. § 2252A(b)(1)	Transportation of Child Pornography	February 18, 2010	Three

The defendant is sentenced as provided in pages 2 through 6 of this judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984.

☐ The defendant has been found not guilty on count(s) _____

☐ Count(s) _____ dismissed on the motion of the United States.

It is ordered that the defendant must notify the United States attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs, and special assessments imposed by this judgment are fully paid. If ordered to pay restitution, the defendant must notify the court and United States attorney of material changes in economic circumstances.

November 4, 2012

Date of Imposition of Judgment

E. Richard Webber

Signature of Judge

E. Richard Webber

Senior United States District Judge

Name & Title of Judge

November 2, 2012

Date signed

DEFENDANT: Jason Lamier
CASE NUMBER: 4:12CR00015 ERW
District: Eastern District of Missouri

IMPRISONMENT

The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a total term of 121 months.

This term consists of a term of 120 months on count one, and 121 months on each of counts two and three, all such terms to be served concurrently.

☒ The court makes the following recommendations to the Bureau of Prisons:

While in the custody of the Bureau of Prisons, it is recommended that the defendant be evaluated for participation in the Residential Drug Abuse Program and Sex Offender Treatment Program. It is further recommended that the defendant receive a mental health evaluation and treatment and that the defendant be placed at FMC Devens in Ayer, Massachusetts. If this recommendation is rejected, it is recommended that the defendant be placed at a Federal Medical Facility as close to Massachusetts as possible, with North Carolina and Kentucky to be considered.

☒ The defendant is remanded to the custody of the United States Marshal.

☐ The defendant shall surrender to the United States Marshal for this district:

- ☐ at _____ a.m./pm on _____
☐ as notified by the United States Marshal.

☐ The defendant shall surrender for service of sentence at the institution designated by the Bureau of Prisons:

- ☐ before 2 p.m. on _____
☐ as notified by the United States Marshal
☐ as notified by the Probation or Pretrial Services Office

MARSHALS RETURN MADE ON SEPARATE PAGE

DEFENDANT: Jason Lamier
CASE NUMBER: 4:12CR00015 ERW
District: Eastern District of Missouri

SUPERVISED RELEASE

Upon release from imprisonment, the defendant shall be on supervised release for a term of life.

This term consists of a term of life on each of counts one through three, all such terms to be run concurrently.

The defendant must report to the probation office in the district to which the defendant is released within 72 hours of release from the custody of the Bureau of Prisons.

The defendant shall not commit another federal, state, or local crime.

The defendant shall not unlawfully possess a controlled substance. The defendant shall refrain from any unlawful use of a controlled substance. The defendant shall submit to one drug test within 15 days of release from imprisonment and at least two periodic drug tests thereafter, as determined by the court.

- ☐ The above drug testing condition is suspended, based on the court's determination that the defendant poses a low risk of future substance abuse. (Check, if applicable.)
- ☒ The defendant shall not possess a firearm, ammunition, destructive device, or any other dangerous weapon. (Check, if applicable.)
- ☐ The defendant shall cooperate in the collection of DNA as directed by the probation officer. (Check, if applicable.)
- ☐ The defendant shall comply with the requirements of the Sex Offender Registration and Notification Act (42 U.S.C. § 16901, et seq.) as directed by the probation officer, the Bureau of Prisons, or any state sex offender registration agency in which he or she resides, works, is a student, or was convicted of a qualifying offense. (Check, if applicable.)
- ☐ The defendant shall participate in an approved program for domestic violence. (Check, if applicable.)

If this judgment imposes a fine or a restitution obligation, it shall be a condition of supervised release that the defendant pay in accordance with the Schedule of Payments sheet of this judgment

The defendant shall comply with the standard conditions that have been adopted by this court as well as with any additional conditions on the attached page.

STANDARD CONDITIONS OF SUPERVISION

- 1) the defendant shall not leave the judicial district without the permission of the court or probation officer;
- 2) the defendant shall report to the probation officer in a manner and frequency directed by the court or probation officer;
- 3) the defendant shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer;
- 4) the defendant shall support his or her dependents and meet other family responsibilities;
- 5) the defendant shall work regularly at a lawful occupation, unless excused by the probation officer for schooling, training, or other acceptable reasons;
- 6) the defendant shall notify the probation officer at least ten days prior to any change in residence or employment;
- 7) the defendant shall refrain from excessive use of alcohol and shall not purchase, possess, use, distribute, or administer any controlled substance or any paraphernalia related to any controlled substances, except as prescribed by a physician;
- 8) the defendant shall not frequent places where controlled substances are illegally sold, used, distributed, or administered;
- 9) the defendant shall not associate with any persons engaged in criminal activity, and shall not associate with any person convicted of a felony unless granted permission to do so by the probation officer;
- 10) the defendant shall permit a probation officer to visit him or her at any time at home or elsewhere and shall permit confiscation of any contraband observed in plain view of the probation officer;
- 11) the defendant shall notify the probation officer within seventy-two hours of being arrested or questioned by a law enforcement officer;
- 12) the defendant shall not enter into any agreement to act as an informer or a special agent of a law enforcement agency without the permission of the court;
- 13) as directed by the probation officer, the defendant shall notify third parties of risks that may be occasioned by the defendant's criminal record or personal history or characteristics, and shall permit the probation officer to make such notifications and to confirm the defendant's compliance with such notification requirement.

DEFENDANT: Jason LamierCASE NUMBER: 4:12CR00015 ERWDistrict: Eastern District of Missouri**ADDITIONAL SUPERVISED RELEASE TERMS**

While on supervision, the defendant shall comply with the standard conditions that have been adopted by this Court and shall comply with the following additional conditions. If it is determined there are costs associated with any services provided, the defendant shall pay those costs based on a co-payment fee established by the probation office.

1. The defendant shall refrain from any unlawful use of a controlled substance and submit to a drug test within 15 days of commencement of supervision and at least two periodic drug tests thereafter for use of a controlled substance.
2. The defendant shall participate in a substance abuse treatment program approved by the probation office, which may include substance abuse testing, counseling, Residential Re-entry Center placement, residential or inpatient treatment.
3. The defendant shall participate in a sex-offense specific treatment program. The defendant shall enter, cooperate, and complete said program until released by the probation office. During the course of said treatment, the defendant shall be subject to periodic and random physiological testing which may include but is not limited to polygraph testing and/or other specialized assessment instruments.
4. The defendant shall comply with all federal, state, and local sex offender registration laws and provide verification of registration to the probation office.
5. The defendant shall be prohibited from contact with children under the age of 18 without the prior written permission of the probation office and shall report to the probation office immediately, but in no event later than 24 hours, any unauthorized contact with children under the age of 18.
6. The defendant shall be prohibited from engaging in any occupation, business, profession, or volunteer work where he has access to children under the age of 18 without prior written approval from the probation office.
7. The defendant shall not frequent, loiter, or reside within 500 feet of schools, parks, playgrounds, arcades, daycare facilities or other places frequented by children under the age of 18, without prior written approval from the probation office.
8. The defendant shall not possess obscene material as deemed inappropriate by the probation office and/or treatment staff, or patronize any place where such material or entertainment is available.
9. The defendant shall submit his person, residence, office, or vehicle to a search conducted by the probation office based upon reasonable suspicion of contraband or evidence of a violation of a condition of release. The defendant shall warn any other residents that the premises may be subject to searches pursuant to this condition.
10. The defendant shall not possess or use a computer, peripheral equipment, gaming equipment, cellular devices, or any other device with access to any "on line computer services," or subscribe to or use any Internet service, at any location (including employment) without the written approval of the probation office. If approval is given, the defendant shall consent to the probation office or probation service representative conducting unannounced examinations, including retrieval and copying of all data, of any computer(s) or computer related equipment to which the defendant has access, including web enabled cell phones and gaming systems to insure compliance with this condition and/or removal of such equipment for the purpose of conducting a more thorough inspection.
11. The defendant shall consent to having installed on the computer(s), at the defendant's expense, any hardware or software systems to monitor or filter computer use. Prior to installation of any such systems, the defendant shall allow the probation office to examine the computer and/or electronic storage device(s). The defendant shall pay for the costs associated with monitoring based on a co-payment fee approved by the probation office. The defendant shall warn any other residents, employers, or family members that the computer(s) and any related equipment may be subject to searches pursuant to this condition.
12. The defendant shall advise the probation office of all computer, electronic equipment, and web enabled equipment, including cell phones, to which he possesses or has access within 24 hours of obtaining same.
13. The defendant shall not purchase or maintain a post office box or any other type of private mail box without written approval of the probation office.

The defendant must pay the total criminal monetary penalties under the schedule of payments on sheet 6

Restitution

\$300.00

- ☐ The defendant must make restitution (including community restitution) to the following payees in the amount listed below.

Name of Payee

Total Loss*

Restitution Ordered	Priority or Percentage
1.00	100%
2.00	100%
3.00	100%
4.00	100%
5.00	100%
6.00	100%
7.00	100%
8.00	100%
9.00	100%
10.00	100%
11.00	100%
12.00	100%
13.00	100%
14.00	100%
15.00	100%
16.00	100%
17.00	100%
18.00	100%
19.00	100%
20.00	100%
21.00	100%
22.00	100%
23.00	100%
24.00	100%
25.00	100%
26.00	100%
27.00	100%
28.00	100%
29.00	100%
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31.00	100%
32.00	100%
33.00	100%
34.00	100%
35.00	100%
36.00	100%
37.00	100%
38.00	100%
39.00	100%
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85.00	100%
86.00	100%
87.00	100%
88.00	100%
89.00	100%
90.00	100%
91.00	100%
92.00	100%
93.00	100%
94.00	100%
95.00	100%
96.00	100%
97.00	100%
98.00	100%
99.00	100%
100.00	100%

Totals:

- ☐
- Restitution amount ordered pursuant to plea agreement _____

- ☐ The defendant must pay interest on restitution and a fine of more than \$2,500, unless the restitution or fine is paid in full before the fifteenth day after the date of the judgment, pursuant to 18 U.S.C. § 3612(f). All of the payment options on Sheet 6 may be subject to penalties for delinquency and default, pursuant to 18 U.S.C. § 3612(g).

- ☐ The court determined that the defendant does not have the ability to pay interest and it is ordered that:

- ☐ The interest requirement is waived for the. ☐ fine ☐ restitution.

- ☐ The interest requirement for the ☐ fine ☐ restitution is modified as follows:

DEFENDANT: Jason Lamier
CASE NUMBER: 4:12CR00015 ERW
District: Eastern District of Missouri

SCHEDULE OF PAYMENTS

Having assessed the defendant's ability to pay, payment of the total criminal monetary penalties shall be due as follows:

- A ☒ Lump sum payment of \$300.00 due immediately, balance due
☐ not later than _____, or
☒ in accordance with ☐ C, ☐ D, or ☐ E below; or ☒ F below; or
- B ☐ Payment to begin immediately (may be combined with ☐ C, ☐ D, or ☐ E below; or ☐ F below; or
- C ☐ Payment in equal _____ (e.g., equal, weekly, monthly, quarterly) installments of _____ over a period of _____ e.g., months or years), to commence _____ (e.g., 30 or 60 days) after the date of this judgment; or
- D ☐ Payment in equal _____ (e.g., equal, weekly, monthly, quarterly) installments of _____ over a period of _____ e.g., months or years), to commence _____ (e.g., 30 or 60 days) after release from imprisonment to a term of supervision; or
- E ☐ Payment during the term of supervised release will commence within _____ (e.g., 30 or 60 days) after Release from imprisonment. The court will set the payment plan based on an assessment of the defendant's ability to pay at that time; or
- F ☒ Special instructions regarding the payment of criminal monetary penalties:

IT IS FURTHER ORDERED that the defendant shall pay to the United States a special assessment of \$100 on each of counts one through three, for a total of \$300, which shall be due immediately.

Unless the court has expressly ordered otherwise, if this judgment imposes imprisonment, payment of criminal monetary penalties is due during the period of imprisonment. All criminal monetary penalty payments, except those payments made through the Bureau of Prisons' Inmate Financial Responsibility Program are made to the clerk of the court.

The defendant will receive credit for all payments previously made toward any criminal monetary penalties imposed.

- ☐ Joint and Several
Defendant and Co-defendant Names and Case Numbers (including defendant number), Total Amount, Joint and Several Amount, and corresponding payee, if appropriate.

- ☐ The defendant shall pay the cost of prosecution.
- ☐ The defendant shall pay the following court cost(s):

- ☐ The defendant shall forfeit the defendant's interest in the following property to the United States:

Payments shall be applied in the following order: (1) assessment; (2) restitution principal, (3) restitution interest, (4) fine principal, (5) fine interest (6) community restitution, (7) penalties, and (8) costs, including cost of prosecution and court costs.



DEFENDANT: Jason Lamier
CASE NUMBER: 4:12CR00015 ERW
USM Number: 39210-044

UNITED STATES MARSHAL
RETURN OF JUDGMENT IN A CRIMINAL CASE

I have executed this judgment as follows:

The Defendant was delivered on _____ to _____
at _____, with a certified copy of this judgment.

UNITED STATES MARSHAL

By _____
Deputy U.S. Marshal

- ☐ The Defendant was released on _____ to _____ Probation
☐ The Defendant was released on _____ to _____ Supervised Release
☐ and a Fine of _____ ☐ and Restitution in the amount of _____


UNITED STATES MARSHAL

By _____
Deputy U.S. Marshal

I certify and Return that on _____, I took custody of _____
at _____ and delivered same to _____
on _____ F.F.T. _____

U.S. MARSHAL E/MO

By DUSM _____

PROB 22 (Rev. 04/17)		DOCKET NUMBER (<i>Tran. Court</i>) 4:12CR00015-1 ERW	
TRANSFER OF JURISDICTION		DOCKET NUMBER (<i>Rec. Court</i>) 4:22-cr-40005-TSH	
NAME AND ADDRESS OF PROBATIONER/SUPERVISED RELEASEE: Jason Lamier 286 Redemption Rock Trail N Princeton, Massachusetts 01473	<u>DISTRICT</u> Eastern District of Missouri	<u>DIVISION</u> Eastern Division St. Louis, MO	
	<u>NAME OF SENTENCING JUDGE</u> The Honorable E. Richard Webber Senior United States District Judge		
	DATES OF PROBATION/SUPERVISED RELEASE:	FROM November 23, 2021	TO Life
OFFENSE Count 1: Possession of Child Pornography Count 2: Receipt of Child Pornography Count 3: Transportation of Child Pornography			
PART 1 – ORDER TRANSFERRING JURISDICTION			
UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF MISSOURI			
IT IS HEREBY ORDERED that pursuant to 18 U.S.C. 3605 the jurisdiction of the probationer or supervised releasee named above be transferred with the records of the Court to the United States District Court for the District of Massachusetts upon that Court's order of acceptance of jurisdiction. This Court hereby expressly consents that the period of probation or supervised release may be changed by the District Court to which this transfer is made without further inquiry of this Court.*			
<div style="display: flex; justify-content: space-between;"> <div style="width: 40%;"> <u>2/15/22</u> <i>Date</i> </div> <div style="width: 50%; text-align: right;">  <i>Senior United States District Judge</i> </div> </div>			
*This sentence may be deleted in the discretion of the transferring Court.			
PART 2 – ORDER ACCEPTING JURISDICTION			
UNITED STATES DISTRICT COURT FOR THE DISTRICT OF MASSACHUSETTS			
IT IS HEREBY ORDERED that jurisdiction over the above-named probationer/supervised releasee be accepted and assumed by this Court from and after the entry of this order.			
<div style="display: flex; justify-content: space-between;"> <div style="width: 40%;"> <u>2/16/2022</u> <i>Effective Date</i> </div> <div style="width: 50%; text-align: right;"> <u>/s/ Timothy S. Hillman</u> <i>United States District Judge</i> </div> </div>			